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## Planning Board Minutes

### Tuesday, November 22, 2005

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**Memorial Building**  
**150 Concord Street, Public Hearing Room**

8 Those present: Thomas Mahoney, Chairman, Ann Welles, Vice Chairman, Sue Bernstein and  
9 Andrea Carr-Evans. Absent: Carol Spack, Clerk. Also present: Jay Grande, MaryRuth Reynolds  
10 and Jessica Levensgood.  
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12 **Meeting was called to order at 7:40 pm**  
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- 14       **I.**       Public Hearing to see if the Town will vote to amend the Zoning By-Law and the  
15 Zoning Map of the Town by changing to an Office and Professional District (P) three  
16 parcels of land known as(1) 597 Old Conn Path owned by Loam Acquisition Co.  
17 LLC containing 118,160 s.f. more or less, (2) 601 Old Conn Path owned by Shell Oil  
18 Company containing 18,680 s.f. more or less and(3) 615 Old Conn Path owned by  
19 Six-15 Old Connecticut Path Realty Trust containing 33,400 s.f. more or less and  
20 being more particularly bounded and described in Exhibit A. Sponsored by Gregory  
21 Rotatori, Audrey Hall and the Oaks Neighborhood Association.

22 Tom Mahoney read the hearing notice into the record. Audrey Hall, sponsor of the  
23 proposed by-law briefed the board. She stated that they desired to change the zoning of  
24 the note parcels when they discovered that the land was currently zoned for heavy  
25 manufacturing, which is not consistent with the surrounding neighborhood lands. She  
26 pointed out that even though the land is zoned manufacturing it is mostly used for office  
27 and professional. She explained that it is not the intent of this bylaw to take the current  
28 use rights away from the property owners, but to keep a heavier use from future users.  
29 Jessica Levensgood, Senior Planner reviewed her recommendation with the board. She  
30 stated that she too has found some of the same issues as raised by Audrey and that she  
31 agreed that the manufacturing uses could adversely affect the neighboring communities.  
32 She recommends that the Planning Board support the rezoning. Board members agreed  
33 that this bylaw gives them an opportunity to fix many zoning issues that exist through

1 town, this being a conflict of a manufacturing zone being too close to open space and  
2 residential areas. Over the past years they have rezoned many areas to keep them  
3 consistent with the surrounding areas. Craig Miller, attorney for 597 OCP project, spoke  
4 out against the change and felt that the current zoning was appropriate for the area. *Sue*  
5 *Bernstein moved that the Framingham Planning Board support the rezoning of*  
6 *parcels 597, 601 and 615 Old Connecticut Path from a Manufacturing to Office and*  
7 *Professional zoning. Andrea Carr-Evans seconded the motion. The vote was 4 in favor*  
8 *and 0 opposed (4 members present)*  
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10 **II.** Public Hearing to see if the Town will vote to amend the Zoning By-Law of the  
11 Town of Framingham as follows. Amend Section IV.I.2.c. by striking the words and  
12 numbers “either,” “5,000” and “the addition of 20” and inserting in place thereof the  
13 underlined words and numbers as follows. “any new structure, group of structures,  
14 substantial improvement, substantial alteration, or change in use of an existing  
15 structure or group of structures, which ~~either~~ results in the development,  
16 redevelopment, reuse, change in use, or an increase of ~~5,000~~ 3,000 square feet of  
17 gross floor area or requires ~~the addition of 20~~ 5 or more parking spaces or an off-  
18 street loading facility, when any portion of any lot or parcel of land on which said  
19 structure or use is located in or lies within 200 feet of a residential district, shall be  
20 subject to this Section IV.I. in its entirety.”

21 Tom read the hearing notice into the record. Jay stated the Town Meeting did pass  
22 this change, but the Attorney General did not approve it due to the fact that it was  
23 outside the scope of the advertised by-law. He noted that it was recommended by  
24 town counsel that the existing language be deleted and replaced with the proposed  
25 language, which better clarifies the intent of the by-law. The Board members agreed  
26 with Jay's statement and support the amendment. *Sue Bernstein moved that the*  
27 *amend section IV.I.2 by striking subsection IV.I.2.c as it presently exists and*  
28 *replacing with a new IV.I.2.c and IV.I.2.d as sighted in Doc#1051-05 as*  
29 *recommended by town counsel. Ann Welles seconded the motion. The vote was 4 in*  
30 *favor and 0 opposed. (4 members present)*

1       **III.    Executive session**

2               *Ann Welles moved to enter into Executive Session for the purpose of discussing*  
3               *litigation for the Nexum case and to leave executive session to return to regular*  
4               *session for the purpose of adjourning. Andrea Carr-Evans seconded the motion.*  
5               *The roll call vote was all in favor.*  
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7       **IV.    Meeting Adjournment**

8               *Andrea Carr-Evans moved to adjourn. Ann Welles seconded the motion. The vote*  
9               *as 5 in favor and 0. Meeting Adjourned at 10:30 p.m.*  
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12   Respectfully submitted,  
13   Mary Reynolds  
14   Recording Secretary  
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16   **\*\*THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE PLANNING**  
17   **BOARD MEETING OF JANUARY 5, 2006.**  
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21   Thomas Mahoney, Chairman